

# Landmark Chambers

## Barrister CV

The Rt. Hon. Lord Carnwath of Notting Hill



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## Expertise

Planning, Environment, Property, Rating and Valuation

## Practice Summary

Lord Carnwath retired as a Justice in March 2020 after a distinguished judicial career which culminated in him spending 8 years sitting in the UK Supreme Court and as a member of the Judicial Committee of the Privy Council. During his tenure in the Supreme Court, he gave many leading judgements, particularly on issues relating to planning and the environment, property, rating, local government and administrative law

As an Associate Member of Landmark Chambers, Lord Carnwath is available to undertake a range of professional engagements within his principal areas of expertise, including arbitrations, expert determinations, early neutral evaluations, and mediations.

He is also available to provide guidance and opinions on the merits of cases before the higher courts, including the Court of Appeal, the Supreme Court, and Privy Council, and to assist counsel with the preparation of applications or submissions, or by conducting mock hearings.

He is available also to accept instructions from government or other bodies to conduct inquiries or provide reports on issues of public importance.

## Planning

*The Health and Safety Executive v Wolverhampton City Council (Rev 1)* [2012] UKSC 34 [2012] 1 WLR 2264 (revocation of planning permission)

*Coventry & Ors v Lawrence & Anor* [2014] UKSC 13 [2014] 1 AC 822 (planning control and nuisance) (concurring)

*Trump International Golf Club Scotland Ltd & Anor v The Scottish Ministers* [2015] UKSC 74 [2016] 1 WLR 85 (interpretation of planning permission) (concurring)

*Suffolk Coastal District Council v Hopkins Homes Ltd & Anor* [2017] UKSC 37 [2017] 1 WLR 1865 (NPPF housing policy)

*Dover District Council v CPRE Kent* [2017] UKSC 79 [2018] WLR 108 (adequacy of reasons)

*London Borough of Lambeth v Secretary of State for Housing, Communities and Local Government and others* [2019] UKSC 33 [2019] 1 WLR 4317 (successive permissions)

*Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v North Yorkshire County Council* [2020] UKSC 3 [2020] 3 All ER 527 (Green Belt policy)

*Dill v Secretary of State for Housing, Communities and Local Government and another* [2020] UKSC 20 [2020] 1 WLR 2206 (listed building control)

## Environment

*ClientEarth, R (on the application of) v The Secretary of State for the Environment, Food and Rural Affairs* [2013] UKSC 25; [2015] UKSC 28 (air pollution)

*Edwards & Anor, R (on the application of) v Environment Agency & Ors (No 2)* [2013] UKSC 78 [2014] 1 WLR 55 (Costs – Aarhus Convention)

*Sustainable Shetland v The Scottish Ministers & Anor (Scotland)* [2015] UKSC 4 [2015] 2 All ER 545 (Birds Directive)

*Champion, R (on the application of) v North Norfolk District Council & Anor* [2015] UKSC 52 [2015] WLR 371 (environmental impact assessment)

*Mott, R (on the application of) v Environment Agency* [2018] UKSC 10 [2018] WLR 1022 (Human rights compensation for environmental controls)

## Property

*Day & Anor v Hosebay Ltd* [2012] UKSC 41 [2012] 1 WLR 2884, (leasehold enfranchisement)

*Barkas, R (on the application of) v North Yorkshire County Council & Anor* [2014] UKSC 31 [2015] AC 195 (village greens) (concurring)

*Newhaven Port and Properties Ltd, R (on the application of) v East Sussex County Council & Anor* [2015] UKSC 7 [2015] AC 1547 (village greens) (concurring)

*Arnold v Britton & Ors* [2015] UKSC 36 [2015] AC 1619 (lease service charges) (dissenting) *Lynn Shellfish Ltd & Ors v Loose & Anor (rev 1)* [2016] UKSC 14 [2017] AC 599 (prescriptive fishing rights)

*Regency Villas Title Ltd & Ors v Diamond Resorts (Europe) Ltd & Ors* [2018] UKSC 57 [2019] AC 553 (easements) (dissenting)

*Lancashire CC, R (on the application of) v SSEFRA & Anor* [2019] UKSC 58 [2021] AC 194 (village greens)

*Peninsula Securities Ltd v Dunnes Stores (Bangor) Ltd (Northern Ireland)* [2020] UKSC 36 [2020] 3 WLR 521 (restrictive trade covenants on property) (concurring)

## Rating and Valuation

*Iceland Foods Ltd v Berry (Valuation Officer) (Rev 1)* [2018] UKSC 15 [2018] 1 WLR 1277 (rating of plant and machinery)

*UKI (Kingsway) Ltd v Westminster City Council (rev 1)* [2018] UKSC 67 (completion notice) *Telereal Trillium v Hewitt (Valuation Officer)* [2019] UKSC 23 [2019] WLR 3262 (rateable value of offices)

*Cardtronics UK Ltd and others v Sykes and others (Valuation Officers)* [2020] UKSC 21 [2020] 1 WLR 2184 (rating of ATM cash machines)